

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

XIN “KELLY” YANG and TING “SUSAN”
CHEN, on behalf of themselves and all others
similarly situated,

Plaintiffs,

v.

A FEI, SHUYUN CHEN, YU “RITA” CHEN,
YUEZHU DU, YURONG “MARY” HU, YUXIA
HU, XUE “LINDA” LIN, QILONG “LUCY” LIU,
LIJUN OUYANG, JINGYI SHEN, WENLING
“ABBY” WANG, YUN YE, NAN “LUCAS”
ZHENG, XIAONA “LINA” ZHOU, LEI “ANDY”
ZHU, ASZ SUPPLY INC., AND DOE
DEFENDANTS 1-100,

Defendants.

Case No. 1:24-cv-05055-RA

[PROPOSED] ORDER

This matter comes before the Court on Plaintiffs’ Motion to Dismiss Defendants’ Counterclaims pursuant to Federal Rule of Civil Procedure 12(b)(6). Having considered the motion, the responses thereto, and being otherwise fully advised on the premises, the Court finds that the Counterclaims fail to state claims upon which relief can be granted.

Accordingly, it is hereby ORDERED AND ADJUDGED that:

Plaintiffs’ Motion to Dismiss is GRANTED, the Counterclaims filed by Defendants Yurong Hu, Qilong Liu, Wenling Wang, Nan Zheng, and Xiaona Zhou at ECF Nos. 19, 20, 21, 22, and 26, including claims for fraud, unjust enrichment, and allegations of frivolous litigation, are DISMISSED WITH PREJUDICE, and leave to amend the Counterclaims is DENIED.

Dated:

Hon. Ronnie Abrams
United States District Judge